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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/594,100	06/14/2000	Michael Anthony Dean	99-422	7703

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VERIZON CORPORATE SERVICES GROUP INC.
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EXAMINER

HA, LEYNNA A

ART UNIT PAPER NUMBER

2135

DATE MAILED: 05/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/594,100

Applicant(s)

DEAN, MICHAEL ANTHONY

Examiner

LEYNNA T. HA

Art Unit

2135

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 08 May 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-33.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
13. ☐ Other: _____.

Continuation of 11. does NOT place the application in condition for allowance because: the claims now includes the new limitations that was not claimed prior to the Final rejection.

During the Final office action, the claims 1, 31, and 32 broadly cite transmitting the data packet with the second destination address from the first address translator via the network and receiving in a second address translator the data packet transmitted via the network.

The previous claimed limitation is open to reasonably interpret that the data packet being transmitted via the network with no particular destination and what exactly is being received in the data packet. This did not limit where the second destination address is going to except from the first address translator via the network and does not further limit what is being received in the packet at the second address translator. The proposed amendment for claims 1, 31, and 32, now limits that the second destination address is going to the second address translator and further claims that the second destination address is being received with the packet. The same concepts applies to claim 16 as well where previously did not claim where the data packet was being transmitted from and only claims that the packet is transmitted to the second address translator. Hence, this requires a further search and consideration.

Regarding pages 12-13 of applicant's arguments: The argument regarding "removing the address information from the packets" is merely additional processes to his invention. The process of removing the address information from the packets is an additional process after the packet was received from the source gateway to the destination. In essence, the removal process at the destination's where it does not conflict applicant's limitations. The reason for removing the address information is to associate channel identifier to the packets (col.32, lines 46-49) which is additional steps to identifying the packets that was received once the packet was at the destination gateway. The removal process does not pertain to the source gateway because the removal process occurs at the destination gateway application (col.32, lines 46-48).

The packets are first sent from the source gateway (col.3, lines 41-44) and once the packet is at the destination gateway application (col.3, lines 43-47), the packets is forwarded to the destination address based on the stored address information (col.3, lines 52-62). Gelman discloses the SNAT enables the source gateway is able to identify packets intended for different destinations (col.9, lines 16-19) where the SNAT changes the IP destination and transmits over the satellite link whereby the other end of the satellite link the destination gateway receives the packets and forwards to the destination TCP layer (col.9, lines 20-28). Gelman teaches that the received packet is translated back to the source address which reads on applicant's claimed invention (col.3, lines 52-62 and col.9, lines 28-31). What happens in addition or after the translation at the receiving end is merely additional measures for Gelman's invention that applicant lacks thereof.

Regarding pages 14-15: Again, Column 22 to 27 and tables 5-6 is being traversed without merit because this is merely extra information of what else is there of Gelman's invention and that the examiner has shown citations reading on applicant's claimed invention. Columns 22-27 and the tables shows the types of messages and what is involved in these different messages (col.22, lines 57-59 and col.24, lines 30-35). This is information for Gelman's invention in addition to what is also discussed in the various citations that read on applicant's invention.

Regarding pages 16-17: Applicant brought forth col.9, lines 24-25 that Gelman did not show the addressing information. If read further down the column from lines 16-31 and as discussed above that Gelman reads on applicant's claimed invention...the packets are first sent from the source gateway (col.3, lines 41-44) and once the packet is at the destination gateway application (col.3, lines 43-47), the packets is forwarded to the destination address based on the stored address information (col.3, lines 52-62). Gelman discloses the SNAT enables the source gateway is able to identify packets intended for different destinations (col.9, lines 16-19) where the SNAT changes the IP destination and transmits over the satellite link whereby the other end of the satellite link the destination gateway receives the packets and forwards to the destination TCP layer (col.9, lines 20-28). Gelman teaches that the received packet is translated back to the source address which reads on applicant's claimed invention (col.3, lines 52-62 and col.9, lines 28-31). What happens in addition or after the translation at the receiving end is merely additional measures for Gelman's invention that applicant lacks thereof.

The arguments on pages 19-20 repeats what is discussed above and continues to page 21 where the examiner explained above that the amendment will not be entered because requires a further search and consideration.


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